IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 68 OF 2006

Desai Madhusadan Shantilal. ...Petitioner
V/s.
Union of India. ...Respondent

Shri R.A. Shaikh for Petitioner.
None for Respondent.

CORAM : V.G. PALSHIKAR &
V.M. KANADE, JJ.

DATED : JULY 14, 2006

P.C. :-

. By this petition, the petitioner claims a declaratory order that the Passport Authority be directed to effect corrections in the passport issued to the petitioner in relation to his birth of place.

. In response to the Rule Nisi issued earlier, affidavit in reply is filed by the respondent where a circular issued by the department dated 18th April, 2001 is annexed. This circular specifically provides for the action to be taken after the judgment of this Court in writ petition No.1072/2000 was passed. Clause (c) of the Circular reads as under :-

> "Where the initial entry has been made on the basis of a supportive document issued by one

> competent authority i.e. School/educational authority and the applicant subsequently requests for a change on the basis of certificate issued by another competent authority i.e. municipal authorities resulting in conflicting sources of valid proof, the PIA should direct the applicant to obtain a civil order from a competent court of jurisdiction, certifying the valid date of birth/place of birth."

. From the above, it is clear that the petitioner himself to obtain a civil order from a court of competent jurisdiction certifying the place of birth. Here the petitioner has claimed the place of birth to be in Baroda District, therefore, court of competent jurisdiction would be for decree. Petitioner, therefore, shall be at liberty to make such prayer to that court, if he so desires.

. Petition, accordingly, disposed of.

(V.G. PALSHIKAR, J.)

(V.M. KANADE, J.)